

CIVIL RIGHTS COMMISSION[161]

Adopted and Filed

Pursuant to the authority of Iowa Code section 216.5, the Iowa Civil Rights Commission hereby amends Chapter 3, "Complaint Process," Iowa Administrative Code.

This chapter addresses the complaint process before the Commission. This amendment clarifies the administrative rules by establishing a procedure for e-filing of documents.

Notice of Intended Action for this amendment was published in the March 10, 2010, Iowa Administrative Bulletin as **ARC 8570B**. A public hearing was held on April 6, 2010. No one attended the hearing, and no written or oral comments were received. This amendment is identical to that published under Notice of Intended Action.

This amendment was adopted by the Iowa Civil Rights Commission on April 15, 2010.

This amendment is intended to implement Iowa Code section 216.5.

This amendment will become effective on June 9, 2010.

The following amendment is adopted.

Amend subrule 3.10(2) as follows:

3.10(2) *Conditions precedent to right to sue.* Upon a request under subrule 3.10(1), the commission shall mail to the complainant a right-to-sue letter where the following conditions have been met.

- a.* The complaint was filed with the commission as provided in rule 161—3.5(216);
- b.* The complaint has been on file with the commission for at least 60 days;
- c.* The right-to-sue request has been submitted in writing with the signature of the complainant or the complainant's representative, unless otherwise prohibited by state or federal rules or contractual agreements. Electronic signatures are permissible for right-to-sue requests;
- d.* The date of request is listed as well as the corresponding state and federal case numbers.

[Filed 4/16/10, effective 6/9/10]

[Published 5/5/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/5/10.